IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24310 of 2008
CHANDRADEEP YADAV @ FOLTAN YADAV
Versus
STATE OF BIHAR

For the Petitioner:- Mr. Umesh Kumar and
Mr. Bindhyachal Singh, Advocates

For the Respondent:- Mr. C. Jawahar, A.P.P.

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3 6.8.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner has been made accused under Sections 302, 201/34 of the Indian Penal Code.

The allegation is that nephew of the informant went to School and after taking meal in the School he proceeded for his home and in the way, he went to see Fish at the spot for fishing but till evening did not return. When the co-villagers namely, Rakesh yadav and Surendra Yadav went towards the ditch, they saw the dead body of Dharmdeo Kumar (nephew of the informant).

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It has been submitted by the learned counsel for the petitioner that F.I.R. was registered under Section 302 and 201 of the Indian Penal Code and five persons have been named in the F.I.R. Petitioner is not named in the F.I.R. Later on he had been arrested merely on suspicion raised by certain persons whose statement was recorded under Section 161 Cr.P.C. by the Police.

Learned counsel for the State submits that petitioner has been named in the Paragraphs-34 and 42 of the case diary, but he conceded that there is no direct evidence against him and merely on

suspicion he has been named.

In the facts and circumstances of the case and in view of the submissions made on behalf of the petitioner I direct the petitioner namely, Chandradeep Yadav @ Foltan Yadav, to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad, in connection with Kako (Bhelawar O.P.) P.S. Case No149 of 2007, corresponding to G.R. No. 1865 of 2007.

P.K. **(Dr. Ravi Ranjan, J.)**

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